

## REMARKS

The response to the previous office action (rejection of claims) was not reviewed by the examiner due to the amendment being non-compliant (this office action). In order to ensure that this amendment includes all the issues before the examiner, the following responses in regards to the claims rejections are herein included.

### CLAIMS REJECTIONS – 35 USC §103a

Claims 1-7 were rejected for being obvious over the prior art, particularly John P. Blasko (Pub. No. U.S. Patent# 20020184130A1 and Blasko hereinafter) in view of Rivette et al. (U.S. Patent# US 5,991,751 B1 and Rivette hereinafter). However, the original filing date of the present invention (June 29, 2001), precedes any of the potentially patentable subject matter by Blasko, filed April 4, 2002. Therefore, the teachings of Blasko were unknown to the applicant and have no consequence regarding the present application. The publication of Blasko (Dec 5, 2002) could not have been known and was not known by the applicant for the present invention. Therefore, it would not have been obvious to a person of ordinary skill regarding any of the teachings of Blasko. As a point of law, the Blasko application would not be allowable based on the priority date of the present application (09/896,238). Although Rivette (US 5,991,751) was filed prior to the present application (6/2/97), Rivette's patent does not include the following: a simultaneous combination of intelligent searching for problem solving with, risk evaluation and valuation of intellectual property. Blasko's teachings in combination with Rivette cannot be used as an obviousness rejection against the present invention.

Regarding claims 1, 2, 3, 4, 5, 6, and 7, the 35 USC 103(a) (obviousness) rejection is not supported. Prior art is based on the priority date or filing date associated with any art cited against the applicant. In this case, Blasko cannot be considered as prior art. In addition, because Blasko cannot be considered as prior art, any rejections regarding claim 8 are obviated as well. Specifically with regard to the 35 USC 103(a) rejection of claim 8, the teachings of both Bakalash (US 6408292 published 6/18/02) and the application of Blasko (published 12/5/02) could not have been known by the applicant and again, do not qualify as prior art. Furthermore, while Bakalash does teach some topographical features for mapping included in the present

invention (e.g. colors, numbers, or symbols), the present invention maintains new features, including the return of information in audible or audiovisual forms. This feature and the utility it represents is unique, novel, and unobvious over the prior art. Therefore, in addition to the fact that the 35 USC 103(a) rejection is improper, the combination of Blasko and Bakalash is not supported.

Claims 9-11 are rejected under 35 USC 103(a) as being unpatentable over Rivette et al. Claim 9 teaches a computer implemented logic-flow based system that teaches away from Rivette. Unique, novel, and unobvious features of this claim include more complex forms of patent valuation (e.g. Black-Sholes model, Discounted Cash Flow, etc.), the ability to perform such valuation in real-time, and the use of audio, video, or audiovisual return of text or image data. Specifically, Rivette does not teach the ability to perform analysis, searching, retrieving, mapping, *and valuation*. More specifically, regarding figure 2 from Rivette (feature 206) there is no mention or discussion involving valuation (instantaneous or otherwise) but rather retrieval of financial information from previously compiled databases that may or may not be relevant to the specific technology, technology sector, or patentable invention. Specifically, regarding the information contained in Rivette in columns 12-13 lines 43-67 and 1-24, there is no mention of providing a means for valuation methods and more precisely, absolutely no mention of using Black-Sholes, discounted cash flow (DCF), or any associated valuation methodology which could be mapped in conjunction with analysis, searching, and retrieving of relevant IP.

Regarding the objections raised including figures 67, 70, and 142, the following comments apply. Figure 67 involves the display of remaining patent term, which is an obscure and insufficient determination of potential value. Figure 70 is a database associated with patent ownership and licensing rights which again is an obscure and insufficient method to establish potential value. Figure 142 indicates a search-and-retrieval methodology for finding patents in a relevant technology space. Even if all the information provided in figures 67, 70, and 142 were combined (document grouping), the valuation methodology is insufficient, obscure, and irrelevant regarding any IP valuation methodologies stated in the present invention. Certainly, there is no discussion about combining the necessary valuation methods (including Black-Sholes, Discounted Cash Flow (DCF), etc.) that are described in the present invention. There is also no

indication regarding audio or audible feedback or broadcast of any of the information provided by the invention of Rivette.

Claim 10 is rejected due to fundamentally similar objections to those of Claim 9. Claim 10 teaches a computer implemented logic-flow based system that is superior over Rivette. Unique, novel, and unobvious features of this claim include more complex forms of patent valuation (e.g. Black-Sholes model, Discounted Cash Flow, etc.), the ability to perform such valuation in real-time, and the use of audio, video, or audiovisual return of text or image data. Specifically, again, Rivette does not teach the ability to perform analysis, searching, retrieving, mapping, *and valuation*. More specifically, regarding figure 2 from Rivette (feature 206) there is no mention or discussion involving valuation (instantaneous or otherwise) as opposed to Rivette's invention regarding retrieval of financial information from previously compiled databases that may or may not be relevant to the specific technology, technology sector, or patentable invention. Specifically, regarding the information contained in Rivette in columns 12-13 lines 43-67 and 1-24, there is no mention of providing a means for valuation methods and more precisely, absolutely no mention of using Black-Sholes, discounted cash flow (DCF), or any associated valuation methodology which could be mapped in conjunction with analysis, searching, and retrieving of relevant IP. Moreover, figure 148 has no information regarding audio files or audio feedback or audio broadcasting of any information found involving patent files.

Claim 11 is rejected due to fundamentally similar objections. Claim 11 teaches a computer implemented logic-flow based system that is superior over Rivette. Unique, novel, and unobvious features of this claim include more complex forms of patent valuation (e.g. Black-Sholes model, Discounted Cash Flow, etc.), the ability to perform such valuation in real-time, and the use of audio, video, or audiovisual return of text or image data. Again, Rivette does not teach the ability to perform analysis, searching, retrieving, mapping, *and valuation*. More specifically, regarding figure 2 from Rivette (feature 206) there is no mention or discussion involving valuation (instantaneous or otherwise) as opposed to Rivette's invention regarding retrieval of financial information from previously compiled databases that may or may not be relevant to the specific technology, technology sector, or patentable invention. Specifically, regarding the information contained in Rivette in columns 12-13 lines 43-67 and 1-24, there is no

mention of providing a means for valuation methods and more precisely, absolutely no mention of using Black-Sholes, discounted cash flow (DCF), or any associated valuation methodology which could be mapped in conjunction with analysis, searching, and retrieving of relevant IP. Moreover, figure 148 has no information regarding audio files or audio feedback or audio broadcasting of any information found involving patent files. Moreover, figure 148 has no information regarding audio files or audio feedback or audio broadcasting of any information found involving patent files.

Applicant submits that the application is now in condition for allowance, and early notification of such action is earnestly solicited.

Dated this 29<sup>th</sup> day of November 2006

Respectfully Submitted,

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